

United States District Court
For the Northern District of California

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7 IN THE UNITED STATES DISTRICT COURT

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9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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11 THE REGENTS OF THE UNIVERSITY OF
12 CALIFORNIA and JANET NAPOLITANO,
13 in her official capacity as President of the
University of California,

14 Plaintiffs,

No. C 17-05211 WHA
No. C 17-05235 WHA
No. C 17-05329 WHA
No. C 17-05380 WHA
No. C 17-05813 WHA

15 v.

16 UNITED STATES DEPARTMENT OF
17 HOMELAND SECURITY and ELAINE
DUKE, in her official capacity as Acting
Secretary of the Department of Homeland
Security,

**ANSWER BY DISTRICT
COURT TO PETITION FOR
WRIT OF MANDAMUS**

18 Defendants.
19 _____ /
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21 The district court thanks our court of appeals for the invitation to answer the petition.
22 Time is of the essence because of the March 5 date set by the Department of Homeland Security
23 to end DACA. All agreed on a schedule for all motions, all to be heard in time to decide and to
24 present the case to the appellate court before the end date. All agreed that the administrative
25 record would be filed but the version eventually filed had shortfalls, so federal defendants were
26 ordered to complete the record, an order that evidently provoked the instant mandamus effort.
27 The district court is of the view that a stay of all proceedings would be unwise in light of the
28 termination date of March 5 and the need to adjudicate the case before that deadline. If the

1 court of appeals nevertheless imposes a stay, then the district court asks that consideration be
2 given to exempting motions for provisional relief.

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Dated: October 23, 2017.

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Wm A
WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE